

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Beaumont Avenue, opposite
Lincoln Place
(344 Beaumont Avenue)
1st Election District
1st Councilmanic District

Robert Cheeks
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-253-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 344 Beaumont Avenue, located in the vicinity of Old Frederick Road and the Baltimore National Pike in Catonsville. The Petition was filed by the owner of the property, Robert Cheeks. The Petitioner seeks relief from Section 1B02.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 feet in lieu of the required 30 feet for a proposed patio enclosure. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits

ORDER RECEIVED FOR FILING

Date

By

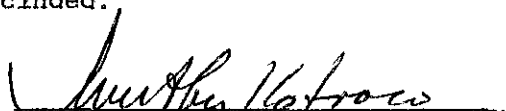
W. K. H. H.

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of February, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 feet in lieu of the required 30 feet for a proposed patio enclosure, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 12, 1996

Mr. Robert Cheeks
344 N. Beaumont Avenue
Baltimore, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Beaumont Avenue, opposite Lincoln Place
(344 Beaumont Avenue)
1st Election District - 1st Councilmanic District
Robert Cheeks - Petitioner
Case No. 96-253-A

Dear Mr. Cheeks:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 344 N. BEAUMONT AVE.

which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 BCR.A.7. (AS APPROVED BY
COUNTY PLANNING COMMISSIONER 1966) - TO ALLOW 25 FT. IN LAYOUT
THE REQUIRED 30 FT. FOR A REAR YARD SETBACK.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

"SEE ATTACHMENT"

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s).

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner

344 N. BEAUMONT AVE
(410) 788-7524(H)

(Type or Print Name)

Address

Signature

City State Zipcode

Address Phone No

Name

City State Zipcode

Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: not

DATE: 1/3/96

ESTIMATED POSTING DATE: 1/14/96



Printed with Soybean Ink
on Recycled Paper

ITEM #: 252

WICKHAM

ORDER RECEIVED FOR FILING

Date 1/2/96

By [Signature]

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 344 N. BEALMONT AVE.
address

BALTIMORE, MARYLAND 21228
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

"SEE ATTACHED"

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

(signature)

(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of December, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert Cheeks

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

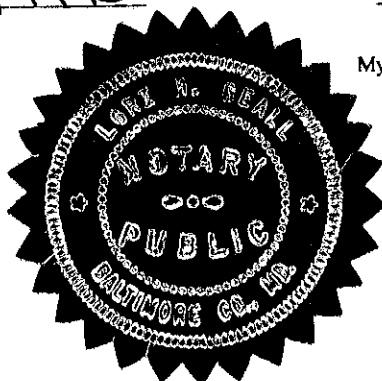
AS WITNESS my hand and Notarial Seal.

Dec 13, 1995
date

Lori M Beall
NOTARY PUBLIC

My Commission Expires:

Feb 3, 1997



AFFIDAVIT

TO WHOM IT MAY CONCERN

PLEASE BE ADVISED THAT THE AREA I PROPOSE TO ENCLOSE IS AN EXISTING 13'X16' CONCRETE PATIO DECK WHICH IS ACCESSIBLE THROUGH SLIDING DOORS FROM MY BASEMENT WHICH IS AT GROUND LEVEL.

IT WOULD PRESENT PRACTICAL DIFFICULTY AND A FINANCIAL HARDSHIP FOR ME TO ALTER OR BREAK UP MY EXISTING CONCRETE DECK THAT WAS PREDESIGNED FOR THIS ENCLOSURE.

HENCE, BASED UPON THE FACT THAT I HAVE AN EXISTING 13'X16' PATIO DECK, I AM PETITIONING FOR AN ADMINISTRATIVE VARIANCE ALLOWING ME 25' IN LIEU OF THE REQUIRED 30' FOR A REAR YARD SETBACK TO ENCLOSE MY PATIO.

ENCLOSED HERewith ARE PHOTOS FOR YOUR PERUSAL AND LETTERS OF APPROVAL FROM MY SURROUNDING NEIGHBORS WHOM MY ENCLOSURE MAY CONCERN.

SINCERELY,
ROBERT HEEKS
344 N. BEAUMONT AVE.
BALTIMORE COUNTY, MD.
21228
(410) 788-7524

ORDER RECEIVED FOR FILING

Date

By

257

ZONING DESCRIPTION ① of 3

ZONING DESCRIPTION FOR 344 N. BEAUMONT AVENUE. BEGINNING AT A POINT ON THE EAST SIDE OF BEAUMONT AVENUE WHICH IS 50' R/W WIDE AT THE DISTANCE OF 0' FEET OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET LINCOLN PLACE WHICH IS 50' R/W WIDE.

BEING LOT #10, BLOCK C IN THE SUBDIVISION OF "HOLLY MANOR" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #31, FOLIO #71, CONTAINING 3,888 SQUARE FEET OR ACRES. ALSO KNOWN AS 344 N. BEAUMONT AVENUE AND LOCATED IN THE 1ST ELECTION DISTRICT, 1ST COUNCILMANIC DISTRICT.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-253-17

District 1st

Date of Posting 1/19/96

Posted for: Variance

Petitioner: Robert Chock

Location of property: 344 N. Beaumont Ave

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by M. Kelly Signature _____

Date of return: 1/22/96

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

013662

96-253-A

DATE 1/3/96 ACCOUNT 01-615

Item: 257

By: MTK

AMOUNT \$ 85.00

RECEIVED FROM: Checks, Robert - 344 N. Beaumont Ave
010- Res Variance - \$ 50.00
020- 1 sign - \$ 35.00
FOR: \$ 85.00

02A91H036ANICRC
BA C011:51AND1/03/96

\$85.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 257 Petitioner: Robert Cheeks

Location: 344 N. Beaumont Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robert Cheeks

ADDRESS: 344 N. Beaumont Ave

Baltimore, Md. 21228

PHONE NUMBER: (410) 788-7524

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 18, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-253-A (Item 257)
344 N. Beaumont Avenue
E/S Beaumont Avenue, opposite Lincoln Place
1st Election District - 1st Councilmanic
Legal Owner: Robert Cheeks

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before January 21, 1996. The closing date (February 5, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Robert Cheeks





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 29, 1996

Robert Cheeks
344 N. Beaumont Avenue
Baltimore, MD 21228

RE: Item No.: 257
Case No.: 96-253-A
Petitioner: R. Cheeks

Dear Mr. Cheeks:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: January 18, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 255, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Cary L. Kerns

PK/JL

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257,
258, 259, 260, 261, 263 AND 264.

MICROFILMED

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 257 (MSK/JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Winstead

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 22, 1996
Items 253, 254, 257, 258, and 259
and Case 96-169 SPH

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

1/26/96 11:57 AM

December 12, 1998

TO Whom it May Concern
Mr. Cheeks, here my permission
TO build his patio on to
his house, I have no objection
Maurice + Doris Jones
346 Beaumont Ave
Barto Md. 21228

LOT-9

#257

To whom it may concern

As a neighbor to the rear of
344 Beaumont Ave, I have no objection
to the patio enclosure being constructed
at the above residence.

Michael Lewis
308 Holly Manor Rd
Baltimore, Md 21228

LOT-14

251

312 Holly Manor Rd.
Baltimore, MD 21228
December, 1995

To whom it may concern:

We are neighbors of Robert Cheeks and "Robert," as we call him, has decided to have a "Patio Enclosure" built, on the rear of his house. He has our whole hearted approval. This enclosure will in no way, be hazardous to us, or our property. Though, we share a "common fence" because we live on the next street. Directly in back of his property.

This enclosure should give "Robert" more privacy and we hope, a little more safety. When he is in his basement at night, because his basement is above ground.

Thank you for taking the time to read this.

Sincerely,

Caron H. & Luisa A. Gross

MICROFILMED

LOT-15

#257

12 - 8 - 95

To Whom It may Concern:

In reference to a patio being
constructed on the property at 344
Beaumont Ave., we have no particular
concerns.

Sincerely,

Vasku + Clifton Bennett
342 Beaumont Ave.
Ballo., md 21228

LOT-11

257

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 344 N. BEAUMONT AVE.

Subdivision name: HOLLY MANOR

plat book # 31, folio # 71, lot # 10, section # C

OWNER: ROBERT CHEEKS

96-253-A

56°33'23"11 36.72'

56°33'20" N 36°12' S 11°04' 10" W 25.35

55.00

MARCELLUS
DOWNS
JONES

EXISTING
DWELLING
No. 346
FRONT

LOT-9:

CLINTON
YASATI
BENNETT

EXISTING
DWELLING
No. 342
Front

Lot-11.

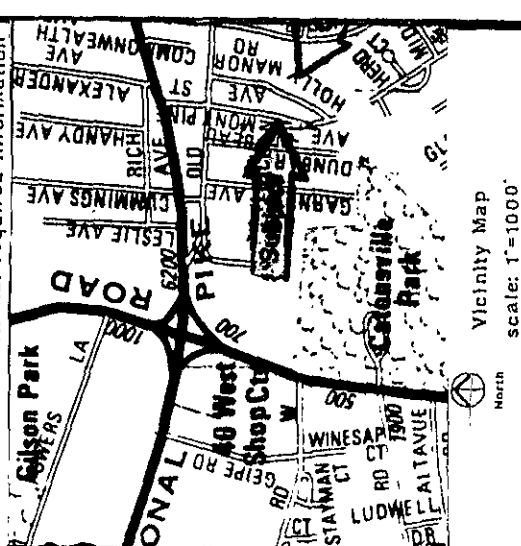
Hand-drawn sketch of a building facade. The sketch shows a rectangular structure with a central section labeled "FRONT". To the left of the central section, there is a vertical dimension line labeled "10' 0\"/>

50' R/W
BEAUMONT AVE.

North 40° E. by 1000

date: 7/23/86

prepared by: DON LYNCH ASSOC. Scale of Drawing: 1" = 30'



LOCATION INFORMATION

Election District: **57.**

Councilman District: 7

1"=200' scale map#: S W 2-6

Zoning: DR. S.S.

Lot size: $\frac{1}{3}$ 3,888

<u>acres</u>	<u>acres</u>	<u>square feet</u>
--------------	--------------	--------------------

public private

SEWER: ☒ ☐

WATER: ☒ ☐

yes no

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: **NONE**

Zoning Office USE ONLY!

Reviewed by:	ITEM #:	CASE#:

257



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: _____ Petitioner: ROBERT JABLON

Location: 344 N. BEAUMONT AVE.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROBERT JABLON

ADDRESS: 344 N. BEAUMONT AVE.

BALTIMORE, MARYLAND 21208

PHONE NUMBER: (410) 788-7524



COPIES

SW
N-G

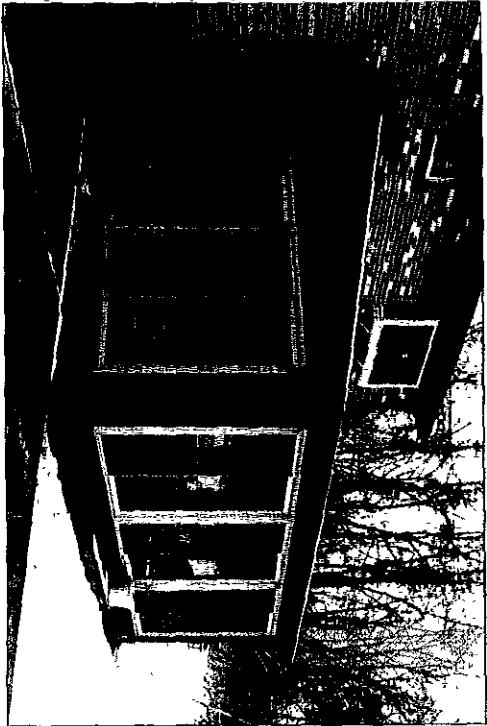
Q.R. 5.5

4257

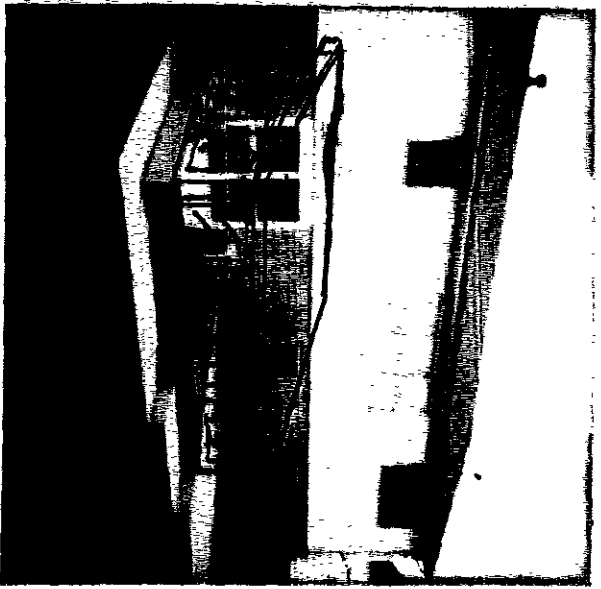
96-253-A



EXISTING CONCRETE
PATIO 13X16



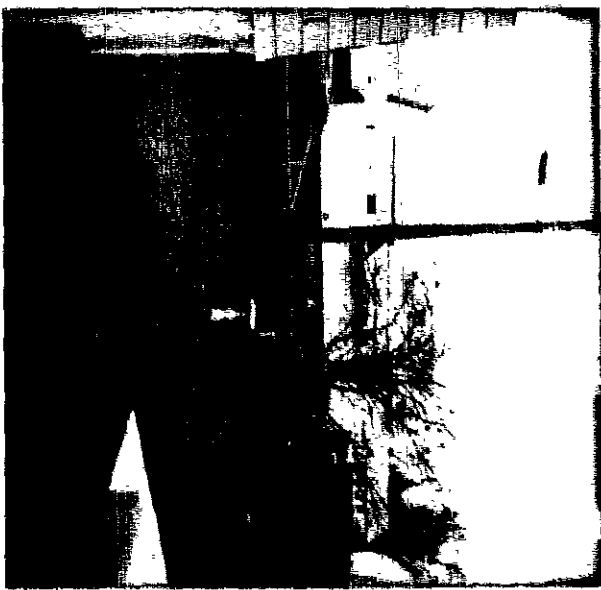
SIMULATED
ENCLOSURE



ROUGH PROPOSAL
13X16



SOUTH SIDE NEIGHBOR
342 N. BEAUMONT AVE.
LOT #11



REAR YARD NEIGHBOR
308 HOLLY MANOR ROAD
LOT #14



NORTH SIDE NEIGHBOR
346 N. BEAUMONT AVE.
LOT #9

MICROFILMED

#257



DOUGL
PARI
OF



BM

L'ANNEE

BL
C/S A

1964

BL

BE 10 11

D.R.5

BR-CCC

B.B.

CLYDE A. LINCOLN

ATHLETIC FIELD

ROAD OR-I

SW 26

D.R. 2

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Beaumont Avenue, opposite
Lincoln Place
(344 Beaumont Avenue)
1st Election District
1st Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-253-A

Robert Cheeks
Petitioner

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submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 12, 1996

Mr. Robert Cheeks
344 N. Beaumont Avenue
Baltimore, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Beaumont Avenue, opposite Lincoln Place
(344 Beaumont Avenue)
1st Election District - 1st Councilmanic District
Robert Cheeks - Petitioner
Case No. 96-253-A

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In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 344 N. BEAUMONT AVE.
which is presently zoned RS-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.A.2 (As proposed by County Planning Commission 1966) to allow 25 Ft. In Lieu of the Required 30 Foot Rear Yard Setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

"SEE ATTACHMENT"

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee	Legal Owner(s)			
(Type or Print Name)	<u>ROBERT CHEEKS</u>			
Signature	<u>ROBERT CHEEKS</u>			
Address	(Type or Print Name)			
City	State	Zipcode		
Attorney for Petitioner	Signature	<u>344 N. BEAUMONT AVE.</u>		
(Type or Print Name)	Address	<u>(410) 788-2524/41</u>		
Signature	City	State	Zipcode	
Address	Phone No.	Name	Address	Phone No.
City	State	Zipcode	Address	Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 13 day of February, 1996, that the subject matter of this petition be set for a public hearing, advertised or reviewed by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reported.

Reviewed by: 1/12/96 Date: 1/12/96 Estimated Posting Date: 1/14/96 Item #: 257

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 344 N. BEAUMONT AVE.

BALTIMORE, MARYLAND 21228

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

"SEE ATTACHED"

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and

will be required to produce \$500.00 information.

ROBERT CHEEKS Signature

STATE OF MARYLAND, COUNTY OF BALTIMORE, to me

I HEREBY CERTIFY, this 13th day of December, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert Cheeks

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

Dec 13, 1995

Timothy M. Kotroco
My Commission Expires: Feb. 3, 1997



ATTACHMENT 19 DEC 95

Affidavit

TO WHOM IT MAY CONCERN

PLEASE BE ADVISED THAT THE AREA I PROPOSE TO ENCLOSE IS AN EXISTING 13'x16' CONCRETE PATIO DECK WHICH IS ACCESSIBLE THROUGH SLIDING DOORS FROM MY BASEMENT WHICH IS AT GROUND LEVEL.

IT WOULD PRESENT PRACTICAL DIFFICULTY AND A FINANCIAL HARDSHIP FOR ME TO ALTER OR BREAK UP MY EXISTING CONCRETE DECK THAT WAS PREDESIGNED FOR THIS ENCLOSURE.

HENCE, BASED UPON THE FACT THAT I HAVE AN EXISTING 13'x16' PATIO DECK, I AM PETITIONING FOR AN ADMINISTRATIVE VARIANCE ALLOWING ME 25' IN LIEU OF THE REQUIRED 30' FOR A REAR YARD SETBACK TO ENCLOSE MY PATIO.

ENCLOSED HERewith ARE PHOTOS FOR YOUR PERUSAL AND LETTERS OF APPROVAL FROM MY SURROUNDING NEIGHBORS WHOM MY ENCLOSURE MAY CONCERN.

Robert Cheeks
ROBERT CHEEKS
344 N. BEAUMONT AVE.
BALTIMORE COUNTY, MD 21228
(410) 788-2524

ORDER RECEIVED FOR FILING
Date 1/13/96
By TMK

#257

ZONING DESCRIPTION 1 of 3

ZONING DESCRIPTION FOR 344 N. BEAUMONT AVENUE, BEGINNING AT A POINT ON THE EAST SIDE OF BEAUMONT AVENUE WHICH IS 50' R/W WIDE AT THE DISTANCE OF 0' FEET OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET LINCOLN PLACE WHICH IS 50' R/W WIDE.

BEING LOT #10, BLOCK C, IN THE SUBDIVISION OF "HOLLY MANOR" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #31, FOLIO #71, CONTAINING 3888 SQUARE FEET OR ACRES, ALSO KNOWN AS 344 N. BEAUMONT AVENUE AND LOCATED IN THE 1ST ELECTION DISTRICT, 1ST COUNCILMANIC DISTRICT.

#257

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st Date of Posting: 1/14/96
Posted for: Variance
Petitioner: Robert Cheeks
Location of property: 344 N. Beaumont Ave.
Location of Sign: Along roadway on property being zoned
Remarks:
Posted by: TMK Date of return: 1/21/96
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No. <u>013662</u>
DATE <u>1/13/96</u> ACCOUNT <u>01-615</u>	
Item: <u>257</u>	
By: <u>TMK</u>	AMOUNT \$ <u>85.00</u>
RECEIVED <u>Cheeks, Robert - 344 N. Beaumont Ave.</u>	
FROM: <u>010- Rm Variance - \$50.00</u>	
<u>020- 1 sign - \$35.00</u>	
FOR: <u>020P103662MCHRC</u>	\$85.00
<u>BA 001151AND1/03/96</u>	
VALIDATION OR SIGNATURE OF CARRIER	



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 257 Petitioner: Robert Cheeks

Location: 344 N. Beaumont Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robert Cheeks

ADDRESS: 344 N. Beaumont Ave

Baltimore, MD 21228

PHONE NUMBER: (410) 788-7524

Printed with Soybean Ink
on Recycled Paper

12



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 18, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-253-A (Item 257)
344 N. Beaumont Avenue
E/S Beaumont Avenue, opposite Lincoln Place
1st Election District - 1st Councilmanic
Legal Owner: Robert Cheeks

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before January 21, 1996. The closing date (February 5, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon

Arnold Jablon
Director

cc: Robert Cheeks

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 29, 1996

Robert Cheeks
344 N. Beaumont Avenue
Baltimore, MD 21228

RE: Item No.: 257
Case No.: 96-253-A
Petitioner: R. Cheeks

Dear Mr. Cheeks:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: January 18, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 255, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Kline*

PK/JL

ITEM254/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1103

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257, 258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 257 (MSK/JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing: 1-800-735-2268

Mailbox Address: P.O. Box 3712 • Baltimore, MD 21203-0712

Street Address: 3072 North Calver Street • Baltimore, MD 21203-0712

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 22, 1996
Items 253, 254, (257) 258, and 259
and Case 96-169 SPH

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

December 12, 1990
TO Whome it may concern
Mr. Cheeks have my permission
to build his patio on to
his house, I have no objection
Marius + Doris Jones
346 Beaumont Ave
Baltimore, Md 21228

LOT-9

#257

To whom it may concern

As a neighbor to the rear of
344 Beaumont Ave, I have no objection
to the patio enclosure being constructed
at the above residence.

Michael Jones
308 Holly Manor Rd
Baltimore, Md 21228

LOT-14

#257

312 Holly Manor Rd.
Baltimore, Md 21208
December, 1995

To whom it may concern:
We are neighbors of Robert Cheeks and Robert, as we call him, has decided to have a "lotto enclosure" built, on the rear of his house. He has our whole hearted approval. This enclosure will in no way be hazardous to our property. Though we share a "common fence" between the two, on the rear street. Really in back of his property.

This enclosure should give Robert more privacy and we hope a little more safety. When he is in his basement at night, because his basement is above ground.

Thank you for taking the time to read this.

Sincerely,
Carroll H. & Susan R. Kross
LOT-15

#257

12-8-95

To whom it may concern:

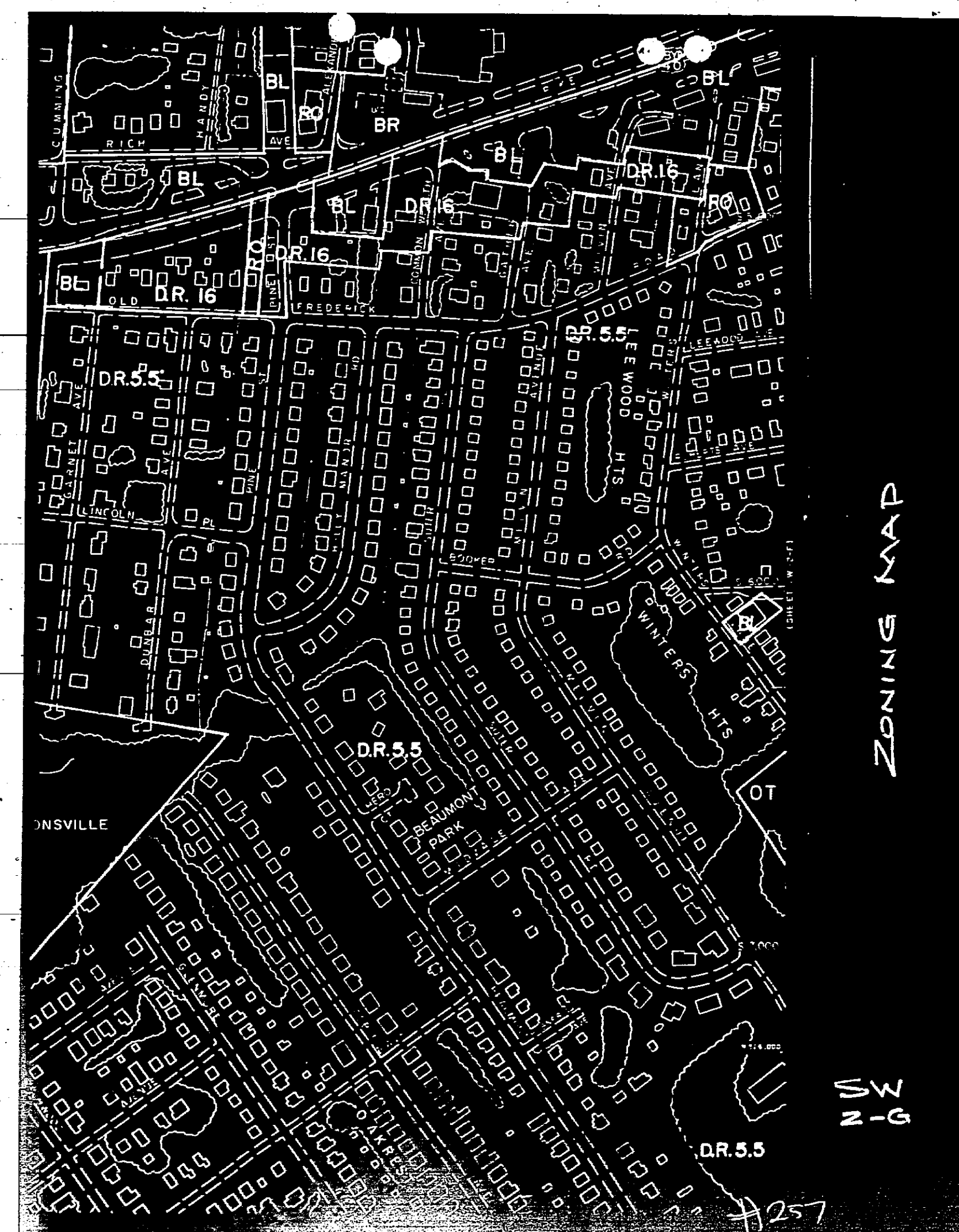
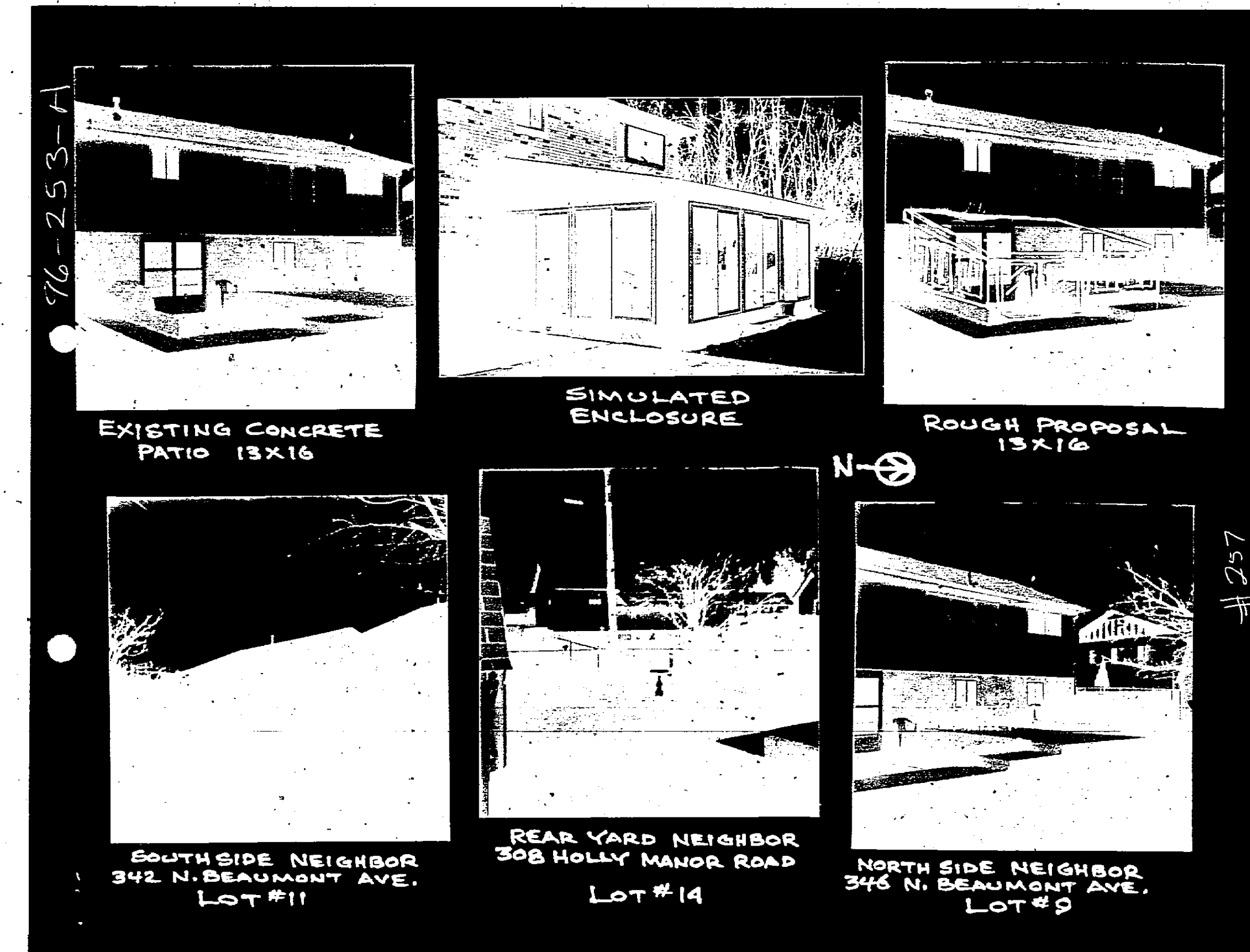
In reference to a patio being constructed on the property at 344 Beaumont Ave., we have no particular concerns.

Sincerely,

Vickie Clifton Bennett
342 Beaumont Ave.
Baltimore, Md 21228

LOT-11

#257



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 344 N. BEAUMONT AVE.

Subdivision name: HOLLY MANOR

Plat book: 31, folio 71, lot 10, section 6

OWNER: ROBERT CHEEKS

96-253-A

LOT 15

LOT 14

LOT 13

FRONT

56°33'20" 11 36.72'

10' Drain, 1/4" UHL, Easement

24' FENCE

LOT 10 BULKY

PROPOSED 13X16 APPROX. 7' HIGH

CLIFTON KASHI BENNETT

EXISTING DWELLING No. 342

FRONT

LOT-11

25' B.R.L.

50' R/W

BEAUMONT AVE.

40' R/W

Scale of Drawing: 1" = 30'

North arrow

DATE: 7/23/95

PREPARED BY: DON LYNCH ASSOC.

LOCATION INFORMATION

Election District: 1st

Councilmanic District: SW 2-G

Zoning: DR 5.5

Lot size: 1/2 ACRE

3,888 square feet

SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: [signature]

ITEM #: 257

CASE #: